

04-09-01

A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 35867-150907

Anticipated Classification of this application:

Class _____ Subclass _____

Prior application:

Examiner: G. Nguyen

Art Unit: 3723

JC986 U.S. PTO
09/828660
04/06/01

Box Patent Application
Commissioner of Patents
Washington, D.C. 20231

CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

This is a request for filing under the continuing application procedure, 37 CFR 1.53(b), for a

☐ Continuation

☒ Divisional

☐ Continuation-in-part

application.

Particulars of Prior Application

A. Application Serial No. 09/428,726, filed October 28, 1999.

B. Title "Method of and Apparatus for High Tolerance Brush Honing".

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10

EXPRESS MAIL Mailing Label Number: EL 740190307 US

Date of Deposit: April 6, 2001

I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, and/or fee, is being deposited with the United States Postal Service, "EXPRESS MAIL - POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10, on the date indicated above, and addressed to: Commissioner for Patents, Washington, D.C. 20231.

Rita E. Flocco
Signature of person mailing paper

Rita E. Flocco

Type or print name of person

1. Copy of Application

The copy of the papers of the prior application which are attached are as follows:

[x] 24 pages of specification, which includes 10 pages of claims

[x] 1 page of abstract

[x] 12 sheets of drawing

[x] 3 pages of declaration and power of attorney

2. Amendments

[x] Cancel in this application original claims 1-37 of the prior application before calculating the filing fee. (At least one original independent claim is retained for filing purposes.)

[x] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered **original** claim in the prior application.)

3. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment

[] There is provided herein a Petition To Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently).

4. Information Disclosure Statement

[x] An information disclosure statement is submitted herewith.

5. Fee Calculation (37 CFR 1.16)

CLAIMS FOR FEE CALCULATION			
Number filed	Number	Extra Rate	Basic Filing Fee = \$710.00
Total Claims (37 C.F.R. 1.16(c)) 21	21-20=1	x \$ 18.00	\$18.00
Independent Claims (37 C.F.R. 1.16(b)) 7	7-3=4	x \$ 80.00	\$320.00
Multiple Dependent Claims(s), if any (37 C.F.R. 1.16(d))		\$260.00	\$ 0

Filing Fee Calculation

\$ 1048.00

6. Small Entity Status

☐ A statement that this filing is by a small entity:

☐ is attached

☒ A Small Entity Statement was filed in the parent application Serial No. 09/428,726 filed on October 28, 1999 and this status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

Filing fee calculation (50% of above) \$524.00

7. Drawings

☐ Transfer the drawings from the prior application to this application and, subject to item 17 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file.

☐ Transfer the following sheet(s) of drawing from the prior application to this application _____.

☐ A copy of the amendment canceling these sheets of drawing in the prior application is attached.

☒ New drawings are enclosed

☒ formal

☐ informal

8. Priority -- 35 U.S.C. 119

☐ Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior U.S. application Serial No. 0__ / _____ on _____.

☐ The certified copy will follow.

9. Relate Back -- 35 U.S.C. 120

☒ Amend the specification by inserting before the first line in the specification: "This is a

☐ continuation

☒ divisional

☐ continuation-in-part

of copending application(s)

☒ Serial No. 09/428,726 filed on October 28, 1999."

10. Inventorship Statement

- (a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120, the inventor(s) in this application is (are):

☒ the same

☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

(Type name(s) of inventor(s) to be deleted)

- (b) The inventorship for all the claims in this application are

☒ the same

☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

11. Assignment

- ☒ The prior application is assigned of record to Conicity Technologies, LLC.

☒ The prior assignment was recorded at the PTO on October 28, 1999, Reel 10355, Frame 0470 and included assignment of all continuation and divisional applications in and to the invention.

☐ An assignment of the invention to _____ is attached. A separate "ASSIGNMENT COVER LETTER ACCOMPANYING NEW PATENT APPLICATION" is also attached.

12. Fee Payment Being Made At this Time

- ☐ Not Enclosed

☐ No filing fee is submitted.

- ☒ Enclosed

☒ basic filing fee \$524.00

☐ recording assignment
(\$40.00; 37 CFR 1.21(h)) \$ _____

☐ processing and retention fee
(\$130.00; 37 CFR 1.53(b) and 1.21(l)) \$ _____

Total fees enclosed \$524.00

13. Method of Payment of Fees

- ☒ enclosed is a check in the amount of \$524.00.

☐ charge Account No. _____ in the amount of . _____ A duplicate of this request is attached.

14. Authorization To Charge Additional Fees

- ☒ The Director is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application to Account No. 50-0573.
- ☒ 37 CFR 1.16(a), (f) or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
- ☐ 37 CFR 1.17 (application processing fees)
- ☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311(b)).
- ☒ Please credit any overpayment with respect to the application to Deposit No. 50-0573.

15. Power of Attorney

The power of attorney in the prior application is to
Arthur H. Seidel, Reg. No. 15,979; Gregory J. Lavorgna, Reg. No. 30,469; Daniel A. Monaco, Reg. No. 30,480; Thomas J. Durling, Reg. No. 31,349; John J. Marshall, Reg. No. 29,671; Joseph R. Delmaster, Jr.; Reg. No. 38123; Robert E. Cannuscio, Reg. No. 36,469.

- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ The power does not appear in the original papers, but was filed on _____.
- c. ☐ A new power has been executed and is attached.

Address all future communications to:

Gregory J. Lavorgna
Drinker Biddle & Reath, LLP
One Logan Square
18th and Cherry Sts.
Philadelphia, PA 19103-6996
Tel.: (215) 988-3309

16. Maintenance of Copendency of Prior Application

- ☐ A petition, fee and response has been filed to extend the term in the pending prior application until _____.
- ☐ A copy of the petition for extension of time in the prior application is attached.

17. Conditional Petition for Extension of Time in Prior Application

- ☐ a conditional petition for extension of time is being filed in the pending parent application.
- ☐ A copy of the conditional petition for extension of time in the prior application is attached.

18. Abandonment of Prior Application (if applicable)

- ☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

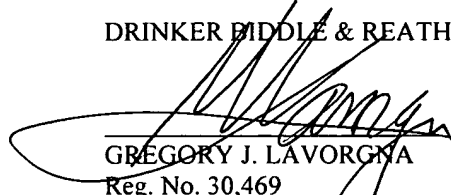
19. Notification in Parent Application of the Filing of this Continuation Application

- [x] A notification of the filing of this continuing application is being filed in the parent application from which this application claims priority under 35 USC §120.

Date:

06 April 2001

DRINKER BIDDLE & REATH, LLP



GREGORY J. LAVORGNA

Reg. No. 30,469

One Logan Square, 18th and Cherry Sts.

Philadelphia, PA 19103-6996

Tel. No.: (215) 988-3309

Fax No.: (215) 988-2757

Attorney of record

L. Nelson
#3/ Formal Drawing
7-10-01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of William R. Shaffer : Atty. Docket No.: 35867-150907
: Group Art Unit:
: Not yet assigned
Serial No.: Not yet assigned : Examiner:
: Not yet assigned
Filed: Herewith :
Related Appl.: Divisional of 09/428,726, filed 10/28/99, :
METHOD OF AND APPRATUS FOR :
HIGH TOLERANCE BRUSH HONING :

SUBMISSION OF FORMAL DRAWINGS

Commissioner for Patents
Washington, D.C. 20231

Sir:

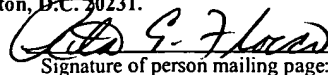
Applicant hereby submits (12) twelve sheets of formal drawings for the above-identified patent application. The drawings are being submitted concurrently with the Continuing Application Transmittal Under 37 CFR 1.53(b).

CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.10

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Signature of person mailing page:

Rita E. Flocco

Type or print name of person

Respectfully submitted,

William R. Shaffer

BY: 

GREGORY J. LAVORGNA

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Attorney for Applicant